

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALFONSO HERNANDEZ,

Plaintiff,

vs.

NO. CIV-14-964 KG/SCY

CITY OF ALBUQUERQUE, et al.

Defendants.

**AFFIDAVIT OF JONLYN M. MARTINEZ DETAILING
ATTORNEY FEES INCURRED FOR MARCH 4, 2016 HEARING**

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

Jonlyn M. Martinez, being duly sworn upon her oath, deposes and states as follows:

1. I am counsel for the Defendant Fitzgerald in this matter.
2. Counsel appeared at a hearing held March 4, 2016 regarding Defendant's Motion to Dismiss for Discovery Violations. (Doc. No. 95).
3. On September 28, 2016 the Court filed an Order Adopting Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. No. 111). In the Order, the Court requested an affidavit from this office regarding the costs associated with investigation of public records, preparation of the motion to dismiss, and attending the hearing on March 4, 2016.
4. I spent 16.7 hours drafting the Motion to Dismiss, Reply in Support of Motion to Dismiss, Notice of Completion of Briefing, and preparing for and attending the hearing

on March 4, 2016. My billing rate is \$170 per hour. My paralegal, Amber Bryan, spent 2.3 hours submitting the public records request to various entities inquiring about the Plaintiff's criminal history and arrest history, following up on records requests, and preparing exhibits to the Motion to Dismiss. Ms. Bryan's billing rate is \$60 per hour. My legal assistant, Lauren Barteau, prepared a notebook for the hearing containing all appropriate motions, correspondence, and discovery. She spent 1.3 hours preparing this notebook. Her billing rate is \$45 per hour. Therefore, Defendant Fitzgerald attorneys' fees in connection with the work expended by my office is \$3,035.50 plus applicable New Mexico gross receipts tax of \$221.97, for a total of \$3,257.47.


JONLYN M. MARTINEZ

SUBSCRIBED AND SWORN TO before me this 3rd day of October,
2016 by Jonlyn M. Martinez.


NOTARY PUBLIC

My commission expires:

Jan. 19, 2020

